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May 2, 2025

VIA ELECTRONIC MAIL ONLY

Honorable Elizabeth A. Wolford
United States District Judge
Kenneth B. Keating Federal Building
100 State Street
Rochester, New York 14614

Dear Judge Wolford:

Re: In re Caustic Soda Antitrust Litigation
Lead Case No.: 1:19 cv-00385
Our File No.: 3400.24951

As the Court knows, the undersigned serves as local counsel to the direct purchaser plaintiffs (“DPPs”) in connection with the above-referenced matter.

On April 15, DPPs and the Defendants jointly submitted a proposed briefing schedule in advance of the Court’s consideration and resolution of the Defendants’ sealing motion (Dkt 813), which was filed pursuant to the Court’s Text Order of July 25, 2024 (Dkt. 765) concerning the schedule for briefing Defendants’ summary judgment and *Daubert* motions and their public docketing by the Court. The Court issued a text order (Dkt 816) so ordering the briefing schedule.

Under that schedule, DPPs’ opposition to Defendants’ Motion to Seal (Dkt 812) and Motion for Partial Reconsideration of the Sealing Text Order (Dkt 788) are due to be filed tomorrow. Today, however, counsel for DPPs, Westlake and Shintech resolved most of the disputes over sealing requests made in Defendants’ November Motion to Seal (Dkt 781) that had they not been resolved otherwise would have necessitated DPPs’ Motion for Partial Reconsideration of the Sealing Text Order (Dkt 788). The remaining disputes with respect to information ordered sealed by that order (Dkt 788) are identical to certain disputed sealing requests that will be resolved by the Court’s rulings with respect to Defendants’ April Motion to Seal (Dkt 812).

The parties met and conferred throughout April over disputed sealing requests. All disputed sealing requests between Formosa and DPPs have been resolved by agreement. All disputed sealing requests between Olin and DPPs are determined, and Olin is ready to brief the dispute. Shintech, Westlake, OxyChem and DPPs require additional time to confer in an effort to narrow disputes concerning sealing requests made in Defendants’ April Motion to Seal (Dkt 812).

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DPPs have agreed with Shintech, Westlake, OxyChem and Formosa to the following dates and page limits for briefing Defendants' Motion to Seal (Dkt 812):

Friday, May 9 – DPPs' Partial Opposition to Defendants' Motion to Seal (35 pages)

Friday, June 6 – Defendants' Reply iso Motion to Seal (35 pages)

If the Court finds this agreement acceptable, the DPPs ask that it be so ordered by the Court. Thank you for your consideration.

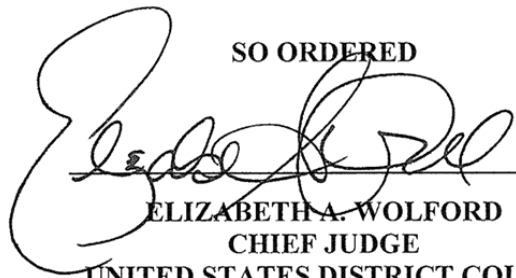
Respectfully submitted,



Marco Cercone

cc: All Counsel of Record (via ECF)

SO ORDERED



ELIZABETH A. WOLFORD
CHIEF JUDGE
UNITED STATES DISTRICT COURT
Dated: May 2, 2025